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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/585,840

07/12/2006

Wilhelm Werner Meincke

04-054-B

7873

20306

7590

02/13/2009

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EXAMINER

TRAN, QUOC DUC

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

02/13/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/585,840	<b>Applicant(s)</b> MEINCKE, WILHELM WERNER	
	<b>Examiner</b> Quoc D. Tran	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al (2006/0058010) in view of Plush et al (2002/0068546).

Consider claims 1 and 8, Williams et al teach a system and method for dynamic tariffing and billing (*par. 0001*), the system comprising a Service Handler part (1) for controlling the dynamic tariffing and billing (*par. 0060*), a Data part (2) for storing information (*par. 0061, SDF*) and a Rating part (3) for making calculations (*par. 0071*), the Service Handler part (1) being linked to the Data part (2) via a first interface (1) and to the Rating part (3) via a second interface (13) (*see Fig. 1-2*), wherein the Data part (2) comprises a database (21) for storing an account value indicating a tariff; at least two types of telecommunication services, a first type of telecommunication services indicating one or more telecommunication services that decrease the account value, and a second type of telecommunication services indicating one or more telecommunication services that increase the account value; a rule-set for mapping a telecommunication service on a value by which the account value is to be decreased or increased (*par. 0061; 0064*); the Service Handler part (1) is arranged to detect a usage of the telecommunication service (*par. 0065*); retrieve data from the Data part (2) (*par. 0067*); send the data to the Rating part (3) for calculating a new account value (*par. 0068-0069; 0071*); receive

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the new account value from the Rating part (3); and send the new account value to the Data part (1) to overwrite the account value (*par. 0070, 0072-0073*).

Williams et al did not suggest of the Data part storing a list of subscribers that belong to the same group. However, Plush et al suggested such (abstract; 0042; 0055). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Plush et al into view of Williams et al in order to provide group subscription for enable sharing of an account among users.

Consider claims 2 and 9, Plush et al teach wherein the system further comprises a Provisioning part (4) that is linked to the Service Handler part (1) via a third interface (14), the Provisioning part (4) comprising a first external interface (41) for sending and/or receiving provisioning data to a legacy system (*par. 0052*).

Consider claims 3 and 10, Plush et al teach wherein the system further comprises a User Access part (5) that is linked to the Service Handler part (1) via a fourth interface (15), the User Access part (5) comprising a second external interface (51) for providing access to the system to a subscriber (*par. 0037; 0039*).

Consider claims 4 and 11, Plush et al teach wherein the system further comprises a User Info part (6) that is linked to the Service Handler part (1) via a fifth interface (16), the User Info part (6) comprising a third external interface (61) for sending subscription information to a subscriber (*par. 0055-0056*).

Consider claims 5 and 12, Plush et al teach wherein the system further comprises a Service Provider Access part that is linked to the Service Handler part (1) via a sixth interface

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(17), the Service Provider Access part (9) comprising a fourth external interface (71) for providing access to the system to a service provider (par. 0050-0052; 0078).

Consider claims 6 and 13, Plush et al teach wherein the system further comprises a Billing Interface part (8) that is linked to the Service Handler part (1) via a seventh interface (18), the Billing Interface part (8) comprising a fifth external interface (81) for sending billing information to a service provider (par. 0069-0070; 0078).

Consider claims 7 and 14, Williams et al teach wherein the system further comprises a Service Access Control part (9) that is linked to the Service Handler part (1) via a eighth interface (19), the Service Access Control part (9) comprising a sixth external interface (91) for detecting usage of the telecommunication service, and the Service Access Control part (9) is arranged to send detecting information to the Service Handler part (1) (par. 0065-0068).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
4. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Facsimile responses should be faxed to:

**(571) 273-8300**

Hand-delivered responses should be brought to:  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quoc D Tran/

Primary Examiner, Art Unit 2614

February 10, 2009